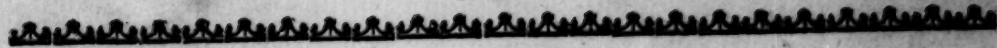


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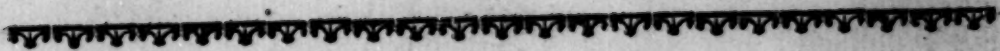
O F

Mr. GEORGE CLARKE's

Feoffment Deed,

A N D

D E C R E E.



C O P Y

MR. GEORGE CLARK'S

Testament Deed



D E C R E E

A N E X A C T C O P Y
O F
Mr. GEORGE CLARKE's
Feoffment Deed,

Of LANDS in
MANCHESTER, CRUMPSALL, and TETLOW,
FOR THE USE OF THE
POOR in MANCHESTER.

M A N C H E S T E R.
PRINTED BY J. HARROP, 1779.

AN EXACT COPY

OF

MR. GEORGE CLARKE'S

Feoffment Deed,

OF LANDS IN

MANCHESTER, CRUMPSALL, and TETLOW,



FOR THE USE OF THE

POOR IN MANCHESTER.

MANCHESTER.

PRINTED BY J. HARRIS, 1779.

M

AN EXACT COPY OF

Mr. GEORGE CLARKE's Feoffment Deed.

THIS INDENTURE made the thirteenth Daie of December, Ano Dni 1636, and in the twelfth Yeare of the Reigne of our Sovereigne Lord CHARLES, by the Grace of God, Kinge of England, Scotland, France and Ireland, Defendor of the Faith, &c. Between George Clarke, of Manchester, in the Countie of Lancaster, Haberdasher, upon th'one Part; and Humfrey Chetham, of Clayton, in the said Countie, Esquire, Nicholas Mosley, of Ancoates, in the said Countie of Lancaster, Esquire, Richard Radcliffe, Gent. (Sonne and Heir Apparent of William Radcliffe, of Manchester aforesaid, Esquire) Samuell Tippinge, of Manchester aforesaid, Gent. Francis Mosley, of the same, Gent. Henrie Johnson th' elder, of the same, Mercer, John Hartley of the same, Draper, John Gaskell of the same, Draper, William Rodley of the same, Gent. Raph Worsley, of Platt within Rusholme, in the said County of Lancaster, Gent. John Marler, of Manchester aforesaid, Gent. Richard Lomax of the same, Clothier, Thomas Keley of the same, Chapman, and John Griffin of the same, Chapman, upon the other Part; WITNESSETH, that the said George Clarke, as well for Provision of a competent and sufficient Joyneture to bee had and made to and for Alice (nowe Wife of the said

George Clarke) And for the speciall Trust and Confidence which hee hath and repositeth in the said Humfrey Chetham, Nicholas Mosley, Richard Radcliffe, Samuell Tippinge, Francis Mosley, Henrie Johnson, John Hartley, John Gaskell, William Rodley, Raph Worsley, John Marler, Richard Lomax, Thomas Keley, and John Griffin, their Heires and Assignes, and for the charitable and great Zeale and good Will which he the said George Clarke hath and beareth, for or towards the better Reliefe or Provision of or for the poor People, which for the Tyme beinge, shal bee inhabittinge and dwellinge within the Towne of Manchester aforesaid, as hereafter, in, or by theise Presents is specified: And for the better estateing, conveying, and assuringe of the Messuages, Burgages, Lands, Tenements and Hereditaments, hereafter herein-menconed, to remayne, contynue and bee, to and for the severall and onely Uses, Behoofoes, Intents and Purposes, and under and upon the Trust and Confidence, Liberties, Limitacons, Provysoe, Condition and Agreements hereafter in theise Presents specified, declared, limited, expressed and appointed; the which Messuages, Burgages, Lands, Tenements and Hereditaments, at the Tyme of the makeing of theise Presents, are esteemed and conceived to bee of the full yearly value or worth of One Hundred Pounds at the least per Annum, not onely over and besides the annuall Rent or Summe of Twentie Shillings for ever, issueing and goinge out of one of the said Messuages, in Manchester aforesaid, nowe in the Houldinge of Michaell Dickonson, and the yearly Rent of Twoe Shillings, hereafter, herein, or hereby reserved; but also over and besides suche annuall Rent and Rents as from henceforth shal bee due or payable unto the chiefe Lord or Lords, of the

Fee

Fee or Fees thereof, and over and above all other Charges and Repryses whatsoever) As also for divers and fundrie other great and weighty Causes and Consideracons him the said George Clarke thereunto movinge; Hee the same George Clarke HATH GRAUNTED, enfeoffed and confirmed, and by theise Presents doth graunt, enfeoffe and confirm unto the said Humfrey Chetham, Nicholas Mosley, Richard Radcliffe, Samuall Tippinge, Francis Mosley, Henrie Johnson, John Hartley, John Gaskell, William Rodley, Raph Worley, John Marler, Richard Lomax, Thomas Keley, and John Griffin, their Heires and Assignes for ever, all those the Messuages, Burgages, Lands, Tenements, Rents, Revercons, Services, and Hereditaments, with their and every of their Appurtenances, scituate, lyinge and beinge in Manchester, Crumfall, and Tetlowe, and in every or any of them, or elsewhere, in the said Countie of Lancaster, in whose Tenures, Possessions, or Occupacons soever the same, and every, or any of them is, are, or have beene, whereof, or wherein the said George Clarke nowe hath any Estate of Inheritance in Possession, Revercon, Use, Remaynder, or otherwise; and the Revercon and Revercons, Remaynder and Remaynders, of all and singular the said Hereditaments and Premises before-mentioned, and of every Part and Parcell thereof, TO HAVE AND TO HOULD the said Messuages, Burgages, Lands, Tenements, Hereditaments, and all and singular other the Premises whatsoever, in or by theise Presents graunted, or ment or menconed, to bee herein or hereby graunted, conveyed, or assured as aforesaid, and every of them, and every Part and Parcell thereof, with their and every of their Appurtenances unto the said Humfrey Chetham, Nicholas Mosley, Richard Radcliffe, Samuel

muel Tippinge, Francis Mosley, Henry Johnson, John Hartley,
 John Gaskell, William Rodley, Raph Worsley, John Marler,
 Richard Lomax, Thomas Keley, and John Griffin, their Heires
 and Assignes for ever, to and for the severall and onely Uses,
 Behoofes, Intents and Purposes, and under and upon the Trust
 and Confidence, Liberties, Limitacons, Provyso, Condicon and
 Agreements hereafter in theise Presents specified, declared,
 limited, expresse and appointed, and to no other Use, Trust,
 Confidence, Intent, Purpose, or Employment whatsoever, THAT
 IS, TO WITT, To the Use and Behoofe of the said George Clarke
 and his Assignes, for and duringe the Terme and Tyme, and
 duringe all the Tyme and Terme of his naturall Life without
 Ympeachment, of or for any Manner of Waist; and from and
 after the Death of the same George Clarke, then of, for, and
 concerninge the full Moyety, or one halfe of all and singular
 the said Messuages, Burgages, Lands, Tenements, Heredita-
 ments, and Premisses, with their Appurtenances (together with
 free ingresse, egress and regresse, Way and Passage, for the Use
 and Occupacon thereof) to the Use and Behoofe of the said
 Alice (nowe Wife of the said George Clarke) and her Assignes,
 for and during all the Tyme and Terme of her naturall Life,
 for, and in liewe and recompence, and full and absolute Satis-
 faction of and for the Joynture, Dower, and Tytle of Dower
 of her the same Alice, of, in, and unto all and singular the
 said Messuages, Burgages, Lands, Hereditaments, and Premises
 before-menconed; and from and after the Death of the same
 Alice, then as well of, for, and concerninge the same Moyety,
 or one halfe of the said Messuages, Burgages, Lands, Tene-
 ments, Hereditaments, and Premisses, so herein limited, to or
 for

for the Use of her the same Alice, and her Assignes, as aforesaid; as also from and after the Death of the said George Clarke, then of, for, and concerninge all and singular the other Moyety, or one half, rest and residue of the said Messuages, Burgages, Lands, Tenements, Hereditaments and Premisses, with their Appurtenances, to the Use and Behoofe of the said Humfrey Chetham, Nicholas Mosley, Richard Radcliffe, Samuel Tippinge, Francis Mosley, Henry Johnson, John Hartley, John Gaskell, William Rodley, Raph Worsley, John Marler, Richard Lomax, Thomas Keley, and John Griffin, their Heires and Assignes for ever, under and upon, nevertheles, the Provysoe and Condicon hereafter herein-menconed; THEY THE SAID Humfrey Chetham, Nicholas Mosley, Richard Radcliffe, Samuella Tippinge, Francis Mosley, Henry Johnson, John Hartley, John Gaskell, William Rodley, Raph Worsley, John Marler, Richard Lomax, Thomas Keley, and John Griffin, their Heires and Assignes, yeildinge and paying therefore Yearly unto the said George Clarke, his Heires and Assignes, the yearly Rent of Twoe Shillings of good and lawfull Money of England, at, or upon the yearlie Feast Dayes of the Birth of St. John Baptist, and the Natiuity of our Lord God, by even and equall Portions; and the first Payment thereof to comence and begin at such of the same Feast Dayes, as shall first and next happen after the Death of the said George Clarke: AND IT IS FURTHER AGREED, And the further Use and Intent of theise Presents, and of the Estate and Interest hereby in any wise to bee raised, created, or made, is, That when, and as often as the said yearlie Rent of Two Shillings shall bee behinde and unpaid at any Feast Day, whereupon the same ought to bee paid as aforesaid; that

that then, and so often it shall and may bee lawfull to and for the said George Clarke, his Heires and Assignes into the said Messuages, Burgages, Lands, Tenements, Hereditaments, and Premisses, and into every or any of them, or any Part or Parcells thereof, to enter and distreyne, and the Distresse and Distresses there taken, to lead, drive, beare and carrie away, and the same with him or them to deteyne and keepe until hee or they bee satisfied of the said annual Rent, and the Arrerages thereof (if any bee) AND furthermore nevertheles, it is further agreed, by and betweene, all and every the Parties to theise Presents; and the further Intent of theise Presents, and of all and euery the Parties thereunto, was, and is, and for ever shal bee, and bee taken to bee, That all and euery the Estate, Interest, Remynder, and Inheritance, which, by Force or Meanes of theise Presents, or of any Thing herein conteyned, shall, or may in any wise, from or after the Death of the said George Clarke, belonge or apperteyne unto the said Humfrey Chetham, Nicholas Mosley, Richard Radcliffe, Samuell Tippinge, Francis Mosley, Henrie Johnson, John Hartley, John Gaskell, William Rodley, Raph Worsley, John Marler, Richard Lomax, Thomas Keley, and John Griffin, and their Heires and Assignes, and to every or any of them, of or in all and every, or any the said Messuages, Burgages, Lands, Tenements, Hereditaments and Premisses (the Estate and Interest of the afore-named Alice, nowe Wife of the said George Clarke, of, in, and to the same, or any Part or Parcells thereof, for and during her naturall Life, and no longer, onely and ever excepted) is, and for ever shall bee, remayne and contynue unto the said Humfrey Chetham, Nicholas Mosley, Richard Radcliffe, Samuel Tippinge,
Francis

Francis Mosley, Henry Johnson, John Hartley, John Gaskell, William Rodley, Raph Worsley, John Marler, Richard Lomax, Thomas Keley, and John Griffin, their Heires and Assignes for ever, under and upon the speciall Trust and Confidence, and to and for the due Performance of all and every the Intents, Agreements and Purposes, hereafter herein by the said George Clarke declared or specified, and in Manner and Forme as thereof or concerninge the same is, in, or by theise Presents limited, expresse, or appointed; THAT IS, TO WITT, That from and after the End, Expiracon, or other Determinacon of the seuerall Estates, Termes and Interests, so formerly herein or hereby limited unto, or for the seuerall and respective Use and Behoofe of the said George Clarke, and Alice his Wife, and as the same shall seuerally and respectively happen to cease, end and determyne, all and singular the cleere yearlie Rents, Issues, Revennues, Comodities and Profitts of all and everie the said Messuages, Burgages, Lands, Tenements, Hereditaments, and Premisses before-menconed, with their Appurtenances, which Yearlie, from Tyme to Tyme, for the Tyme being, shall or may bee raised or levyed out of the same Messuages, Lands, Hereditaments and Premisses (the formerly herein-menconed annuall or yearly Sum of Twentie Shillings, and the said yearlie Rent reserved in or by theise Presents, and all other reasonable and necessarie Charges and Repryses, beinge always allowed and deducted) shal bee for ever thereafter yearly from Tyme to Tyme iustly, truly, carefullie, faithfully and wholie disposed of, distributed, converted and ymployed towards, or for the Succor, Ayd, or Reliefe of such poore, aged, needie, or impotent People, as for the Tyme beinge shall inhabitt or

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dwell within the said Towne of Manchester aforesaid, and by the Judgements and good Discrecons from Tyme to Tyme for ever, of the Burrowreeve and the twoe Constables of the said Towne of Manchester, successively for the Tyme beinge (takeinge unto them onely as an Assistant yearlie for ever, some such one of the Church-wardens for the Parish Church of Manchester, for the Tyme being as they shall think fitt, and as from Tyme to Tyme shall happen to bee Dwellinge and Inhabitinge within the said Towne of Manchester, or of any three of them, whereof the said Burrowreeve, or some one of the Constables aforesaid to be one) shal bee deemed and conceived to have need or want thereof, and in such Sort and Manner as is herein hereafter in that Behalfe declared specified, limited, or expressed; and for the better Declaracon and effectinge thereof, the said George Clarke hath and doth by theise Presents limitt, ordeyne, declare and appoint, that they the said Humfrey Chetham, Nicholas Mosley, Richard Radcliffe, Samuell Tippinge, Francis Mosley, Henry Johnson, John Hartley, John Gaskell, William Rodley, Raph Worsley, John Marler, Richard Lomax, Thomas Keley and John Griffin, their Heires and Assignes for the Tyme beinge, shall Yearly, and from Yeare to Yeare for ever, from and after the severall Ends and Expiracons of the respective Estates and Interests of the said George Clarke and Alice his Wife, of, in, and unto the said Messuages, Lands, Hereditaments and Premisses, or any Part thereof, well and carefullie to their best Endeavors and Knowledges, dispose of, or lett to Farme from Yeare to Yeare, and for no greater Terme or Estate, all and every the said Messuages, Burgages, Lands, Tenements, Hereditaments and Premisses, to the best yearly Profit

Profitt thereof, and therein so far forth as in them shal bee, to have care and provide that the said cleere yearlie Rent and Profitt thereupon, to bee from Tyme to Tyme reserved or had, shall and may bee from Tyme to Tyme yielded and payable, so and in such Manner and Forme unto them the said Humfrey Chetham, Nicholas Mosley, Richard Radcliffe, Samuell Tippinge, Francis Mosley, Henry Johnson, John Hartley, John Gaskell, William Rodley, Raph Worsley, John Marler, Richard Lomax, Thomas Keley and John Griffin, their Heires and Assignes for the Tyme beinge, as that thereby and therewith, all the said Humfrey Chetham, Nicholas Mosley, Richard Radcliffe, Samuell Tippinge, Francis Mosley, Henry Johnson, John Hartley, John Gaskell, William Rodley, Raph Worsley, John Marler, Richard Lomax, Thomas Keley, and John Griffin, their Heires or Assignes, or some of them, shall and may, Yearlie and euerie Yeare, from and after the Decease of the said George Clarke for ever, well and truelie deliver and pay unto such the Burrowreeve and two Constables of the said Towne of Manchester, and such Church-warden aforesaid, as are afore-mentioned, or to some of them, the which same Delivery and Receipt for the Tyme beinge, the said George Clarke willeth and appointeth for the better Apparance thereof, upon the Accompt thereof, to bee made, to bee sett downe in Bookes or Notes in Wryteinge, to bee from Tyme to Tyme made, whereof one Part to remayne with the Receivors, or th' one of them, and the other with the Deliverors or Payors, or th' one of them, untill the last Accompt for that Yeare, and then both the same Bookes or Notes to bee produced and shewed for the perfectinge of that Yeares Accompt, at the Court Leet for the Towne or

Mannor of Manchester aforesaid, to bee Yearlie there kept, after the Feast of St. Michael the Archangell, the severall Rates and Proporcons of the same cleere yearlie Rent or Profit (deductinge, to be deducted as aforesaid, and always exceptinge the said Estate and Interest of the said Alice unto the said Lands and Hereditaments dureing her naturall Life as aforesaid) at such seuerall yearlie Tymes, and in such Manner and Forme, and to the Intent and Purpose thereof, in or by theise Presents hereafter respectively limited or declared, That is to say, as well in and for the first Yeare, which shall first and next happen after the Death of the said George Clarke, the entire and whole yearlie Rent or Profit, to bee reserved or had for the said Messuages, Lands and Premisses (deductinge to be deducted as aforesaid, and exceptinge as before is excepted) to bee well and truelie satisfyed and paied to such the Burrowreeve and Constables aforesaid, or some of them, at the two Feasts of St. James the Apostle, and the Purification of the Blessed Virgin Mary, in the same first Yeare by even and equall Porcons, Of Intent and Purpose that the same seuerall Moyeties of the said cleere yearlie Rent or Profit, in, or for the same first Yeare, so to bee paid or received as aforesaid, shall and may bee accordinglie, in, or upon the same seuerall Days of the Payment and Receipt thereof, and by such the Burrowreeve and Constables for the Towne of Manchester aforesaid, respectiuelie distributed and disposed of, to and amongst such the Poore of and in the said Towne of Manchester as aforesaid, and after such Rates and Proporcons, as by the good Discrecons of the said Burrowreeve and two Constables, with the Assistance of such the Church-warden as aforesaid, for the said Towne of Manchester, for the Time beinge,

inge, or any twoe of them (whereof the said Burrowreeve or one of the said Constables to bee one) shall seeme good and convenient; as also from and after the End of the same first Yeare so next ensueinge, after the Death of the said George Clarke, then, and from thenceforth, yearlie for ever, the entire and whole cleere yearlie Rent or Profit, for the Tyme beinge, to bee Yearlie and for every Yeare from thenceforth successively, to be reserved or had for the said Messuages, Burgages, Lands, Tenements and Premisses (deductinge from Tyme to Tyme to bee deducted as aforesaid, and exceptinge alwayes and in Manner and Forme as before is excepted) to bee well and truelie yearlie for ever satisfyed and paid, by and from the said Humfrey Chetham, Nicholas Mosley, Richard Radcliffe, Samuel Tippinge, Francis Mosley, Henry Johnson, John Hartley, John Gaskell, William Rodley, Raph Worley, John Marler, Richard Lomax, Thomas Keley, and John Griffin, their Heires and Assignes, or some of them, unto such the Burrowreeve and Constables for the said Towne of Manchester as aforesaid, for the Tyme beinge, or some of them, yearlie and for ever, at, or before the said twoe severall Feast Dayes of St. James the Apostle and the Purificacon of the Blessed Virgin Mary, by even and equall Porcons of like Intent and Purpose, that the same last-menconed Payments of the said cleere yearlie Rent or Profit, to bee Yearlie or in every Yeare, from and after the first Yeare next ensuinge after the Death of the said George Clarke, paid or received as aforesaid, shall and may accordingly, in or upon the same severall yearlie Feast Daies of the Payment and Receipt thereof, so had and made unto, and by such the Burrowreeve and Constables as aforesaid, bee by them the said Burrowreeve and

Constables, or some of them, with the Assistance of such the Church-warden as aforesaid, respectively from Tyme to Tyme, also distributed and disposed of, to and amongst such the Poore of the said Towne of Manchester as aforesaid, and after such Rates and Proporcons as by the good Discrecons of the same Burrowreeve and twoe Constables, by and with the Advise and Assistance of such the Church-warden as aforesaid, for the same Towne of Manchester, or any two of them for the Tyme then beinge, (whereof the said Burrowreeve or some one of the said Constables to bee one) shall seeme good and convenient; and for the better Assurance of the Contynuanee for ever, in and towards the due Performance of the Premisses, it is agreed by and betwixt the said Parties to theise Present, and every one of them the said Humfrey Chetham, Nicholas Mosley, Richard Radcliffe, Samuel Tippinge, Francis Mosley, Henry Johnson, John Hartley, John Gaskell, William Rodley, Raph Worsley, John Marler, Richard Lomax, Thomas Keley, and John Griffin, for himselfe and his Heires feuerally, and not otherwise, doth covenant and graunt to and with the said George Clarke, and his Heires, to be at all Tymes hereafter willinge and ready from Tyme to Tyme upon reasonable Request for his and their Part and Porcon, to make or joyne in further Assurance of the said Messuages, Lands, Tenements, Hereditaments and Premisses, and every of them, accordinge to the true Intent and Meaninge hereafter herein nextlie specified, that is, to witt, and the true Intent, Use, Trust and Meaninge of theise Presents, and of the said Parties unto the same, is and for ever hereafter shal bee adjudged and taken to bee; That whensoever any tenne of them the said Humfrey Chetham, Nicholas Mosley,
Richard

Richard Radcliffe, Samuell Tippinge, Francis Mosley, Henry Johnson, John Hartley, John Gaskell, William Rodley, Raph Worsley, John Marler, Richard Lomax, Thomas Keley, and John Griffin, shall bee deceased, as that there shall bee onelie foure of them liveinge, that then the foure Survivors of them the said Humfrey Chetham, Nicholas Mosley, Richard Radcliffe, Samuell Tippinge, Francis Mosley, Henrie Johnson, John Hartley, John Gaskell, William Rodley, Raph Worsley, John Marler, Richard Lomax, Thomas Keley, and John Griffin, and the Survivor of them, and his Heires, shall within six Months then next followinge, graunt, convey, and assure all their and every of their Estate and Estates, Right, Tytle, Interest and Demand whatsoever, of, in and unto the said Messuages, Burgages, Lands, Tenements, Hereditaments and Premisses, with their Appurtenances, and every Part and Parcell thereof unto some other tenne substantiall and discrete Persons, such as the said George Clarke duringe his Life Tyme, or the said Survivor or Survivors after the Death of the said George Clarke, shall, in his or their Discrecons thinke most meete in that Behalfe, To have and to hold to them, their Heires and Assignes, to the Use and Behoofe of the same Survivors, and the other Terme, Grauntees, their Heires and Assignes, and nevertheles, to and for the perpetuall Performance of the Intents and Purposes, and under and upon the Trust and Confidence in theise Presents menconed, and to no other Use, Trust, Confidence, Intent, Purpose, or Employment whatsoever; the same Graunt, Conveyance, or Assurance to bee discharged of all Charges and Incumbrances whatsoever, comitted or done, or hereafter to bee comitted or done by the said Feoffees for the Tyme beinge, other then
such

such Lease or Leases as shall happen to bee made accordinge to the true Meaning of theise Presents ; AND it is thought convey-nyent and expedient, and it is so accordinglie limited, declared and appointed by the said George Clarke, and so accepted of and assented unto by all the other Parties to theise Presents, that the same or the like order and course of Graunt, Conveyance and Assurance, of and concerninge the Premisses, shall from Tyme to Tyme successively, and at all Tymes, for ever bee observed, performed and made, when and as often as there shall happen to bee but foure Feoffees concerninge the Premisses in full Life, to the End, Intent and Purpose that the said Mes- suages, Burgages, Lands, Tenements, Hereditaments and Premisses, with their Appurtenances, and every of them, shall and may bee at all Tymes for ever, to God's good Will and Pleasure, to the Uses, Intents and Purposes aforesaid, preserved and kept ; AND IT IS further limited and appointed by the said George Clarke, and so assented unto, by and betweene all the said Parties to theise Presents, and the true Intent, Use, Trust and true Meaninge of theise Presents, is, and so for ever shal bee, taken to bee, That as well the said Humfrey Chetham, Nicholas Mosley, Richard Radcliffe, Samuell Tippinge, Francis Mosley, Henry Johnson, John Hartley, John Gaskell, William Rodley, Raph Worsley, John Marler, Richard Lomax, Thomas Keley, and John Griffin, and the Survivor of them ; as also their succeedinge Feoffees, of and concerninge the Premisses, together with such the Burrowreeve and Constables for the Tyme beinge, of the Towne of Manchester aforesaid, as shall have received or distributed any of the Rents, Sumes, or Profitts, shall, from and after the Death of the said George Clarke, Yearlie, and
from

from Yeare to Yeare for ever, at the Court Leet, to bee Yearlie houlden for the said Towne and Mannor of Manchester, after the Feast of St. Michael the Archangell, and before the Jurie of the same Court, make and yield up a iust and true Reckoning and Accompt of all such Sumes of Money, and other Things as they shall have then received, disbursed, or done, in, for, or by Reason of the Premises, or any Part thereof: AND MOREOVER, the said George Clarke hath ordeyned, constituted and made, and by theise Presents doth ordeyne, constitute and make John Dawson, Gent. and Gerard Simkin, of Manchester aforesaid, his true and lawfull Attorneys, joyntlie and severallie, irrevocable for him and in his Name and stid, joyntlie or severallie to enter into the said Messuages, Burgages, Lands, Tenements, Hereditaments and Premisses before-mencioned, or into any Part or Parcell thereof in the Name of the whole, and from thence to expell and amove all and euerie the Possessors thereof, and of euerie Part thereof, and Possession and Seizin thereof, or of any Part or Parcells thereof in the Name of the whole, or of any Part or Parcells thereof to take, and Possession and Seizin thereof, or of any Part thereof in the Name of the whole, or of any Part or Parcells thereof for him, and in his Name and stid, joyntlie or severallie to geve and deliver unto the said Humfrey Chetham, Nicholas Mosley, Richard Radcliffe, Samuel Tippinge, Francis Mosley, Henrie Johnson, John Hartley, John Gaskell, William Rodley, Raph Worsley, John Marler, Richard Lomax, Thomas Keley, and John Griffin, or any of them, or their certeyne Attorney, in Wryteinge in that Behalfe, To have and to hold unto the same Humfrey Chetham, Nicholas Mosley, Richard Radcliffe, Samuel

muell Tippinge, Francis Mosley, Henrie Johnson, John Hartley, John Gaskell, William Rodley, Raph Worsley, John Marler, Richard Lomax, Thomas Keley, and John Griffin, and their Heires and Assignes for ever, according to the Tenor, Purport, Effect, and true Meaninge of theise Presents, ratifying and allowinge all and whatsoever the said Attorneys, or either of them shall doe, or cause to be done, in or about the Premisses, or any Part thereof, as if the same were executed and done by him the said George Clarke, as his owne Act and Deed. PROU-
 YDED always and upon Conclition, That if the said George Clarke, shall and doe at any Tyme hereafter, tender or pay, or cause to be tendered or paid unto the said Humfrey Chetham, Nicholas Mosley, Richard Radcliffe, Samuell Tippinge, Francis Mosley, Henrie Johnson, John Hartley, John Gaskell, William Rodley, Raph Worsley, John Marler, Richard Lomax, Thomas Keley, and John Griffin, or any of them, or to any other Person or Persons whatsoever, to their, or anye of their Use or Uses, the Summe of Five Shillings of lawfull Money of England, in the Presence of twoe or more Witnesses, of Intent and Purpose to revoke, frustrate, and make voyd this present Indenture, and all and every the Use, Uses, Estates, Matters, and Things herein conteyned, that then and ymmediatelic from thenceforth, as well this present Indenture, and the Liverie and Seisin, or other Execucon thereupon to bee had or made, and all and every the Use, Uses, Estates, Trusts, Confidences, Articles, Sentences, Matters and Things therein or thereby expressed, graunted, conveyed, or assured, shall cease, end, and determine, and bee absolutely voyd, frustrate, and of no further Effect or Continuance in the Law; as also that then and thereupon

thereupon, and from and after such payment and tender of Five Shillings as aforefaid; the faid Humphrey Chetham, Nicholas Mosley, Richard Radcliffe, Samuel Tippinge, Francis Mosley, Henry Johnson, John Hartley, John Gaskell, William Rodley, Raph Worsley, John Marler, Richard Lomax, Thomas Keley, and John Griffin, and their Heirs; and all and every other Person and Persons which nowe stand and bee seized, or which shall hereafter stand or bee seized, of, or in the faid Messuages, Burgages, Lands, Tenements, Hereditaments, and Premisses, or any of them, shall stand and bee seized thereof; and of every Part and Parcell thereof, to the onely Use and Be-hoofe of the faid George Clarke, his Heires and Assignes for ever, and to no other Use, Intent, or Purpose whatsoever, any Limitacon of other Use or Uses in theise Presents or otherwise, or any other Matter or Thing to the Contrary thereof in any wise notwithstandinge. IN WITNES whereof, the Parties aforefaid unto theise Presents, Indentures, haue interchangea- blie sett their Hands and Seals, the Day and Yeare first aboue written. George (Seal) Clarke.

Sealed, Signed, and Delivered, (the Interlynellinge within be- inge first made) in the Prefence of Thomas Johnson, James Lightbourne, Richard Lomax, jun. Geo. Pendleton.

MEMORAND. That after the Sealinge and Deliverie of this present within written Indenture, (viz.) the same Thirteenth Daye of the within menconed Moneth of December, An. Dni. 1636, Annoq. Regni Caroli Regis Anglei, &c. Duodecimo infra Script. The within named Gerard Simkin, did (by Virtue of the Warrant or Letter of Attorney within conteyned, and the Power and Authoritie thereby unto him given) enter into the Messuage, situate in Crumfall within menconed, now in the Occupacon of one Thomas Woolfen-crofte (beinge Part of the Messuages, Burgages, Lands, Tenements, and Hereditaments within conveyed) and thereof did take Possession, and seizin, for, and in the Name of full and peaceable Possession and seizin thereof, and of all and singular the Messuages, Lands, and Hereditaments within specified, and after such Possession and seizin so taken, and had hee the said Gerard Simkin did then and thereof, give and deliver unto the within-named Raph Worsley, and John Marler, (for the Use of themselves, and of the also within named Humfrey Chetham, Nicholas Mosley, Richard Radcliffe, Samuell Tippinge, Francis Mosley, Henrie Johnson, John Hartley, John Gaskell, William Rodley, Richard Lomax, Thomas Keley, and John Griffin, peaceable and quiyett Possession and seizin, for, and in the Name of full and peaceable Possession and seizin of the same Messuage, and of all and singular other the Messuages, Bur-gages,

gages, Lands, Tenements, and Hereditaments within graunted, with their Appurtenances, To have and to hould unto the said Humfrey Chetham, Nicholas Mosley, Richard Radcliffe, Samuell Tippinge, Francis Mosley, Henrie Johnson, John Hartley, John Gaskell, William Rodley, Raph Worsley, John Marler, Richard Lomax, Thomas Keley, and John Griffin, their Heires and Assignes for ever, accordinge to the Tenor, Purport, Form, Effect, and true Meaninge of this present within written Indenture, in the Prefence of Thomas Johnson, James Lightbowne, Geo. Pendleton.



MEMORAND.

MEMORAND. Also, that the Fifteenth Day of the within written Moneth of December, Annoq. Dni. 1636, Annoq. Regni Caroli Regis Anglie, &c. Duodecimo infra Script. John Brownswords, of Manchester, within menconed, Chapman, (being Tenant of all and singular the Messuages, Burgages, Lands, Tenements, and Hereditaments within specified, by Force and Virtue of one Indenture, bearinge Date the Twelfth Day of this Instant Moneth of December, made betweene the within named George Clarke upon th' one Parte, and him the same John Brownsword upon the other Parte, (did take Notice and Knowledge of this present Indenture, and did not onelie consent and agree thereunto, accordinge to the Tenor, Purport, and true meaninge thereof, But also for more evident Manifestacon of the same, Did give and pay unto the within named Raph Worsley and John Marler, for the Use of themselves; and of the also within named Humfrey Chetham, Nicholas Mosley, Richard Radcliffe, Samuell Tippinge, Francis Mosley, Henrie Johnson, John Hartley, John Gaskell, William Rodley, Richard Lomax, Thomas Keley, and John Griffin,) Twoe-pence, for, and in the Name of Attornment, in the Presence of Henery Johnson, jun. Thomas Johnson, James Lightbowne, John Ringly, Geo. Pendleton.

A C O P Y
O F A
D E C R E E,
I N T H E
COURT of CHANCERY for LANCASHIRE,
TO ENABLE THE TRUSTEES OF
Mr. CLARKE's LANDS,
To grant LEASES for 21 Years.

M A N C H E S T E R:
PRINTED BY J. HARROP, 1779.

Y O P C A

D E C A E

C O S T I N T I N U I T



M R C L A R K E S L A N D S

PRINTED BY HARRISON & SONS

W A N D E L L S T R E E T

L O N D O N

*Die Mercurii 16^o.
Julii 1684.*

In Canc. Com. Pal. Lanc. Anno Ps.
Car. scdi Angl. &c. xxxvi^{to}.

P. Curiam **W**HEREAS by Inquisition taken at Wigan the fifth Day of March, now last past, before William Daniell, Esq; Peter Adlington, Esq; Samuel Andrewes, and William Patten, Gentlemen, by Vertue of a Comicon, issued forth of the Honourable Cort of Chancery, houlden for the County Palatine of Lancaster, to them and others directed, for the due Execucon of a Statute, made in the high Cort of Parliament, holden the sixth Day of October, in the three and fortieth Yeare of the Reigne of the late Queen Elizabeth, intituled, " An Act to redress the " Misimployment of Lands, Goods, and Stocks of Money here- " tofore given to charitable Uses." It is found and does appeare, That George Clerke, late of Manchester, in the County of Lancaster, Haberdasher, being in his Life Time seized in his Demesne, as of Fee, or of some other good Estate of Inheritance, of and in several Messuages, Burgages, Lands, Tenements, Rents, Revercons, Services and Hereditaments, sciuate, lyinge and being in Manchester, Crumfell and Tetlow, in the said County of Lancaster, and being mindfull and desirous to settle the same, for Provision of and for the poore People, within the said Towne of Manchester, he the said George Clerke, did, by his Indenture or Deed of Feoffment, bearing Date the thirteenth of December, which was in the Yeare of our Lord God

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One thousand six hundred thirty-six, made by and betweene him the said George Clerke, upon the one Part; and Humphrey Chetham, of Clayton, in the said County, Esq; Nicholas Mosley, of Ancoates, in the said County of Lancaster, Esq; Richard Radcliffe, Gent. Son and Heire apparent of William Radcliffe, late of Manchester aforesaid, Esq; Samuell Tippinge, of the same, Gent. Francis Mosley, of the same, Gent. Henry Johnson the elder, of the same, Mercer, John Hartley, of the same, Draper, John Gaskell, of the same, Draper, William Rodley, of the same, Gent. Raph Worsley, of Platte, within Rusholme, in the said County, Gent. John Marler, of Manchester aforesaid, Gent. Richard Lomax, of the same, Clothier, Thomas Cayley, of the same, Chapman, and John Griffin, of the same, Chapman, on the other Part; did grant, enseofe, and confirme unto them the said Humphrey Chetham, Nicholas Mosley, Richard Radcliffe, Samuell Tippinge, Francis Mosley, Henry Johnson, John Hartley, John Gaskell, William Rodley, Raph Worsley, John Marler, Richard Lomax, Thomas Cayley, and John Griffin, their Heires and Assignes for ever, all those the said Messuages, Burgages, Lands, Tenements, Rents, Revercons, Services, and Hereditaments, scituate, lying and being in Manchester, Crumfell, and Tetlow, and in every or any of them, or elsewhere in the said County, in whose Tenures, Possession, or Occupacons soever the same, and every, or any of them, is, are, and have been, whereof, or wherein the said George Clerke had any Estate of Inheritance in Possession, Use, Revercon, Remainder, or otherwise, and the Revercon and Revercons, Remainder and Remainders, of all and singular the said Hereditaments and Premisses beforemenconed,

menconed, and every Part and Parcell thereof: TO HAVE AND TO HOULD the said Messuages, Burgages, Lands, Tenements, Hereditaments, and all other Premisses, with their and every of their Appurtenances, unto them the said Humphrey Chetham, Nicholas Mosley, Richard Radcliffe, Samuell Tippinge, Francis Mosley, Henry Johnson, John Hartley, John Gaskell, William Radcliffe, Raph Worley, John Marler, Richard Lomax, Thomas Cayley, and John Griffin, to and for the severall Uses, Behoofes, Intents and Purposes, and under and upon the Trust and Confidence, Limitacons, Provifes and Condicons hereafter menconed, that is to say, to the Use and Behoofe of him the said George Clerke, and his Assignes, for and dureing the Terme of his naturall Life, and after his Decease, then of one full Moyety, or one Half of the said Premisses, to the Use and Behoofe of Alice, then Wife of the said George Clerke, and her Assignes, for and dureing the Terme of her naturall Life, and from and after the End and Expiracon, or other Determinacon of the severall Estates, Termes and Interests, unto, and for the severall and respective Use and Behoofe of the said George Clerke, and Alice his Wife, and as the same should happen, severally and respectively to cease, end, and determine, all and singuler the cleare yearly Rents, Issues, Revenues, Comodoties and Profitts of the said Premisses, which, yearly and from Time to Time for the Time being, shall or may be raised or levyed out of the same, the yearly Rent of two Shillings to the said George Clerke, his Heires and Assignes for ever, and the annuall or yearly Rent of twenty Shillings, issueing out of the said Premisses, and alsoe all other reasonable and necessary Charges and Reprizes, being alwayes allowed

and deducted, should be for ever hereafter, yearely, and from Time to Time, justly, truly, carefully, faithfully and wholly disposed of, distributed, converted and imployed towards, or for the Succor, Aid, or Reliefe of such poore, aged, impotent and needy People, as should inhabit or dwell within the said Towne of Manchester, and by their Judgment and good Discressions from Time to Time for ever, of the Burrow Reeve and two Constables of the said Towne of Manchester, successively for the Time being, taking to them onely as an Assistant yearely, for ever, some such one of the Church-wardens of the Parish Church of Manchester, for the Time being, or of any three of them, whereof the said Borrowreeve, or some one of the said Constables to be one, shall be deemed and conceived to have need and want thereof; and the Jurors did further find, in and by the said Deed of Feoffment, that they the said Humphrey Cheetham, Nicholas Mosley, Richard Radcliffe, Samuell Tiping, Francis Mosley, Henry Johnson, John Hartley, John Gaskell, William Rodley, Raph Worsley, John Marlor, Richard Lomax, Thomas Cayley, and John Griffin, their Heires and Assignes for the Time being, had onely Power to set, let, dispose of, or farm the said Premisses from Yeare to Yeare, and that by the said Deed, It is provided, that whensoever any ten of them, the said Humphrey Cheetham, and the said other Trustees, or Feoffees before-named, should dye, as that there should be onely fower of them liveing, that then the said four Survivors, should within six Months then next followeing, grant, convey and assure all their and every of their Estate, Interest, and Title, of, in, and unto the said Messuages, Burgages, Lands, Tenements, Hereditaments, and Premisses,

misses, with their and every of their Appurtenances, unto some other ten substantiall and discreet Persons; TO HAVE AND TO HOULD to them, their Heires and Assignes, to the Use and Benefoote of the same Survivors, and the other ten Grantees, their Heires and Assignes; nevertheless, upon the perpetual Performance of the Trust and Uses in the said Deed menconed, and to noe other Use, Interest, or Purpose whatsoever; and that the same Order, Grant, Conveyance, and Assureance of and concerning the Premisses, should from Time to Time successively, and at all Times for ever, be observed, performed and made, when and as often as their should happen to be four Feoffees concerning the Premisses in full Life; and by the said Inquisition, it was further found and appeares, that all or most of the said Feoffees being dead, new Feoffees were elected and chosen according to the Powers, Limitacons, and Agreements of the said Deed of Feoffment; and that the said Feoffees now liveing, intrusted with the said charitable Guift, are, John Johnson, Gent. Michaell Dicconson, Gent. Oswald Mosley, Esq; John Hartley, Esq; Thomas Lancashire, Gent. Richard Fox, Gent. Samuel Dicconson, Gent. and Edward Bootle, Gent. which said last named Feoffees doe onely let and farme the said Lands and Premisses from Yeare to Yeare, by reason whereof there is not soe great an Improvement of the Premisses made or raised, for the use of the said poore People, or otherwise might be, and that if the said Feoffees did make Leases, or let or dispose of the said Premisses for some Number of Yeares or Lives, there might and would considerable Advantage be got and raised thereby, for the use of the said poore People, inhabiting in the said Towne of Manchester, upon which Inquisition the Comrs. proceeded

proceeded to make a Decree, and certified and returned the same, together with the Inquisition into this Court, the same purporting to be made at Wigan, the fifth Day of March now last past, reciteing, that they the said Comiconers had called before them, as well the said surviveing Feoffees, as the said Burrowreeve, and the said two Constables, and severall of the Church-wardens of the said Towne of Manchester; and upon reading of a Peticon of severall of the Inhabitants of the Towne of Manchester, directed to the Comiconers for pious Uses, sitting at Wiggan, in the said County of Lancaster, thereby seteing forth, that by reason the said Feoffees are by the said Deed of Settlement limited and appointed to dispose of, or settle the said Premisses to farme from Yeare to Yeare onely, and for noe greater Terme or Estate, the Farmers of the said Premisses are unwilling and discouraged to improve the same, not haveing any certaine Time therein, and by that means the Premisses became neglected and grew more baron and ruinous, and doe yeild lesse Rent for the Releefe and Mantainance of the Poore, in which respect the said Peticoners desired to empower and enable the said Feoffees, by Order, Decree, or otherwise, to make a Lease or Leases, of all or any Parte of the said Premisses, for any Time not exceeding the Terme of one and twenty Years, without taking any Fines for the same, and not lessening the present Rents, but increaseng them at their Discretions, to the end the Premises may be improved, and the Rents advanced for the Benefitt of the said poore People of Manchester, and the Comiconers haveing seriously considered of the said Matter with the said Feoffees, Burrowreeve, Constables, and Church-wardens of Manchester aforesaid, and being
of

of Opinion that it is much better for the Advantage and Benefit of the said poore People of Manchester, that the said Feoffees should be authorized to make Leases of the said Premises for some considerable Number of Years, to the Intent the yearly Revenues thereof might be improved; they the said Comiconers did by Vertue of the said Statute and Comicon, order and decree that the said John Johnson, Michael Dicconson, Ofwell Mosley, John Hartley, Thomas Lancashire, Richard Fox, Samuel Dicconson, and Edward Bootle, the present Feoffees of the said Premises; and alsoe all and every other Person or Persons that should for ever thereafter be elected and chosen Feoffees, by Vertue of the said Deed of Feoffment, shall have Power, Liberty, and Authority to set, let, and dispose by Lease or Leases, or otherwise, all or any Parte of the said Messuages, Lands and Premises, soe given and limited by the said George Clerke, for the Releefe of the poore, aged, impotent and needy People, inhabiting within the said Towne of Manchester as aforesaid, for the Terme of one and twenty Yeares, and noe longer, or for any lesser Terme of Yeares; and that the said Feoffees should not take any Fine or Fines for such said Lease or Leases, but should demise the said Premises upon an improved yearely Rent, which shall be of a greater yearely Value then the said Premises are now rented or farmed at: And it was thereby further ordered, adjudged, and decreed, that whensoever any ten of the last appointed Feoffees should bee deceased, and that there should be onely four of them liveing, that then the said four Survivors should within six Month then next following, grant, convey, and assure, all their and every of their Estate and Tytle, of, in and upon the said Messuage, Burgage,

Burgage, Lands, Tenements, Hereditaments and Premisses, with their Appurtenances, unto some other Ten substantiall and discreet Persons, to have and to hould to them, their Heires and Assignes to the Use and Behoofe of the same Survivors, and the other Grantees, their Heires and Assignes; neverthelesse, for the perpetuall Performance of the Trust and Use in the said Deed menconed, and that to noe other Use, Intent, or Purpose whatsoever, and that the same Order, Grant, Conveyance, and Assureance concerneing the Premisses, shall from Time to Time successively, and at all Times for ever, be observed, performed and made, when and soe often as there shall happen to be onely four Feoffees concerneing the Premisses in full Life, as by the said Inquificon and Decree remaineing on the Files of this Court may appeare: Now this Day Mr. Yates of Councel with the said Inhabitants of the said Towne of Manchester, humbly moved the Court for a Confirmacon of the said Decree of the Comiconers, the same being made for Improvement of the Premisses, and to advance the Rents and Profitts, for the better Helpe and Improvement of the poore People who are to have the Advantage thereof, and the Court being informed, that the said Decree was made by Consent of the Trustees or Feoffees concerned in the said Trust, and upon the Desire and Peticon of the Inhabitants of Manchester, and that the Matters decreed doe agree with the originall Trust, and that as well the said Feoffees as Inhabitants, desire a Confirmacon thereof: It is therefore this Day ordered, adjudged and decreed by this Court, that the said recited Decree shall be, and is hereby, and by the Authority of this Court ratified and confirmed; and that as well the present Feoffees
or

or Trustees, as the said Premisses, as all others to be hereafter elected and chosen into the said Trust, shall have Liberty, and are hereby impowered to set, let, and dispose by Lease or Leases, or otherwise, all or any Parte of the said Messuages, Lands and Premisses, given and limited by the said George Clerke, to the pious Use before-menconed, for the Terme of twenty-one Years, or under, reserving thereupon the improved and a better yearly Rent, then the same are now farmed at, according to the Provision and Discrecon for the purpose in the said Decree, and when and as often as the Number of the said Feoffees is by Death reduced to four, that the said surviveing Feoffees shall within the Time, in and by the said Decree appointed, make new Grants and Conveyances to ten other substantiall Persons for the perpetuall Use and Performance of the originall Trust, and according to the Tenor and Purport of the said recited Decree.

J O. O T W A Y.



of Tenor, as the said Tenor, as all others to be hereafter
elected and chosen into the said Hall three yearly, and
are hereby appointed to sit, sit, and judge by their
Juries on either side, all of any kind of the said
lands and premises, given and limited by the said George
Charles to the said Sir before-mentioned, now the said
twenty-one years or more, relating thereto, the said
ed and a better party than the said now limited
according to the Tenor and intention of the said
land Tenor, and when and as often as the said
Tenor is by the said Tenor, that the said
Tenor shall be a law, and by the said Tenor
pointed, made new Tenor, and by the said Tenor
Tenor Tenor for the said Tenor and Tenor of the
original Tenor, and according to the Tenor and Tenor of the
said Tenor.



JO. Q. W. A. Y.